

Sergey Mkhitarian  
 Inmate No: 2679724  
 Clark County Detention Center  
 330 S. Casino Center Blvd  
 Las Vegas NV, 89101

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COUNSEL/UNITED STATES OF RECORD	
NOV 29 2021	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

P.1

## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

SERGEY MKHITARYAN,  
 Plaintiff,

CASE NO: 2:21-CV-01789-APG-BNW

-VS-

RESPONSE: TO VERIFY PAYMENT / COPY'S of Complaint

COUNTY OF CLARK, et al.  
 defendants.

### DISCUSSION

On Nov. 20. 2021, Plaintiff received verification of filing fee on document ECF NO. 3 (Noting receipt of payment). Which was plaintiff's Second Payment Attached with Notice 6. This Payment was Not from C.C.D.C., ~~Accounting~~ Evidently C.C.D.C deducted Plaintiff's Account But Never submitted Payment to U.S. District Court. However, C.C.D.C claims the Payment was Processed And Cleared the Bank on Oct. 4. 2021. Further, Contradicting Inmate Accounts Written Statements, that two Payments were Processed and Plaintiff was due a refund from U.S. District Court. These Actions from C.C.D.C is Alarming! This was Another Attempt from C.C.D.C to have this Case dismissed And to Hinder Plaintiff from filing /finalizing Complaint.

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Plaintiff also received a copy of the docket sheet in this case. Here it shall be noted, Plaintiff Never Amended the initial Complaint 9. Plaintiff Sent copy of Complaint / Summons to the Court as proof that the same was sent to the defendants. Plaintiff Never initiated "Amended Complaint" on filed Motion. Further, the copy's received from the Amended complaint pages 4F, 4G and 4H are missing. The missing pages are part of the filed Complaint. Please, make the correction. This Complaint shall resume with initial Complaint filed. NO Amendments have been made to this Complaint with Above Case No. Plaintiff did Not receive copy's of Exhibits. Please, send copy's of Exhibits with Initial Complaint.

### Order

Before the Court is Plaintiff's Second Motion to Verify Payments and Request for Refund Regarding ECF No. 12. ECF No. 23. In his motion at ECF No. 23, Plaintiff appears to assert that the U.S. District Court for the District of Nevada received two filing-fee payments for this case (2:21-cv-01789-APG-BNW) and that he is entitled to a refund of one of those payments. The Court reviewed the docket and confirmed with the Court's Finance Department that only one filing fee was received for this case. Accordingly, the Court cannot refund Plaintiff a second filing fee that it did not receive and will deny this request.

But in the Court's discussion with the Finance Department, it learned that Plaintiff has overpaid \$400 in another case (2:20-cv-02169-JAD-NJK). Accordingly, **IT IS ORDERED** that the Finance Department refund Plaintiff Sergey Mkhitarian this \$400 (receipt NVLAS073324). To obtain this refund, **IT IS ORDERED** that Plaintiff must contact the Finance Department at (702) 464-5440. Plaintiff must contact the Finance Department because mail addressed to him and sent to both Clark County Detention Center and Lakes Crossing Center has been (recently) returned as undeliverable. To ensure that Plaintiff receives his refund, the Court has opted to have him reach out to the Finance Department directly.

The Court also notes that the Finance Department reviewed Plaintiff's other cases (2:11-cv-01055-JCM-CWH and 2:20-cv-2348-KJD-EJY) and found no overpayments in either case.

Returning to Plaintiff's motion at ECF No. 23. Plaintiff notes that he did not intend to amend his complaint at ECF No. 9 (but sent a copy of the complaint for other reasons). Plaintiff wishes for this case to proceed on the initial complaint. Accordingly, the Court will grant this portion of Plaintiff's request and **direct the Clerk of Court to strike ECF No. 9 as filed in error.**

Additionally, the Court will **direct the Clerk of Court to send Plaintiff a copy of the exhibits attached to his complaint at ECF No. 1-1.**

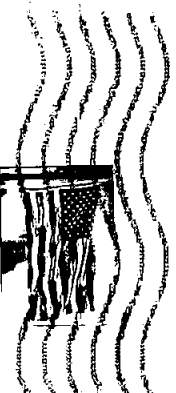
Finally, in light of this Court's order, **IT IS ORDERED** that ECF Nos. 24, 28, and 29 are denied as moot.

ERGEY Mikhitarian  
 Date: 8/6/2021  
 Res Crossing Center  
 D Galletti Way  
 arks, N.V. 89131-5506

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 District of Nevada  
 Lloyd D. George U.S. Courthouse  
 333 Las Vegas Blvd. South - Room 1334  
 Las Vegas, N.V. 89101

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